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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,565	07/02/2001	Daniel Coffman	YOR9-1999-01	1503

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EXAMINER
BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
2195	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/806,565	COFFMAN ET AL.	
	Examiner	Art Unit	
	Lewis A. Bullock, Jr.	2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *25-59,97-115 and 117-122* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *25-28,34-36,97-100,103 and 104* is/are rejected.

7)☒ Claim(s) *29-33,37-59,100,105-115 and 117-122* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 25-35 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The cited claims detail a software system having a plurality of components, i.e. a multi-modal manager, a kernel, and an API. There is no tangible component of the software system which is required under M.P.E.P. 2106 to be a statutory machine.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 25, 27, 28, 34-36, 97-99 and 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Adaptive Multimedia Interfaces in PolyMestra" by GLINERT.

As to claims 25 and 27, GLINERT teaches a conversational computing system, comprising: a multi-modal CUI manager, operatively connected to a plurality of I/O renderers (visual display), which can receive input queries and input events across different user interface modalities of different active applications (applications) and

generate output messages and output events in connection with the active applications in one or more of the different user interface modalities (via the presentation manager) (pg. 8-9, Inter-application communication; pg. 4, "In our architecture...Presentation manager...."); a conversational kernel for generating multi-modal dialogs in response to the input queries and input events and for managing context associated with the active applications (via the presentation manager) (pg. 8-9, Inter-application communication; pg. 4, "In our architecture...Presentation manager...."); and a conversational API for providing an interface between the active applications and the conversational kernel (Windows Dynamic Data Exchange management Library) (pg. 8, "In order for the core software tools to monitor the load...for this purpose). It would be obvious to one of ordinary skill in the art that the presentation manager of GLINERT functions both as the CUI manager and conversational kernel since both receive input event and queries and have no relation to one another.

As to claim 97, GLINERT teaches a virtual machine (multimodal architecture) comprising: a kernel adapted to manage dialog and context, conversational engine and resources (resource monitor / resource data / metawidget data / user preferences) and communication across different applications (applications), each having one or more different user interface modalities, to provide a coordinated, universal conversational user interface across the different user interface modalities (via the presentation manager) (pg. 8-9, Inter-application communication; pg. 4, "In our architecture...Presentation manager...."); and an API comprising abstractions adapted

to access conversational services from the kernel on behalf of the applications (Windows Dynamic Data Exchange management Library) (pg. 8, "In order for the core software tools to monitor the load...for this purpose). It would be obvious to one of ordinary skill in the art that the multimodal architecture is stored on a computer medium to be later implemented on a system.

As to claim 28, GLINERT teaches the kernel service is conversational customization (via handling presentation of information so that the user does not become overloaded) (pg. 4).

As to claims 34-36, GLINERT teaches a multimodal software system executing on a multimedia computing environment (pg. 4-5; fig. 3). It would be obvious that the software machine executes on top of the windows operating system since the WindowsDDEML is used for inter-application communication (pg. 8).

As to claims 98 and 99, GLINERT teaches a multimodal software system executing on a multimedia computing environment (pg. 4-5; fig. 3). It would be obvious that the software machine, i.e. virtual machine, executes on top of the windows operating system since the WindowsDDEML is used for inter-application communication (pg. 8).

As to claim 103, GLINERT substantially teaches the invention above. However, GLINERT does not teach that the applications are implemented one of declaratively, imperatively, and a combination thereof. Official Notice is taken in that it is well known in the art that an application can be implemented declaratively and/or imperatively and therefore would be obvious in view of GLINERT in order to develop an application.

4. Claims 26, 100 and 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Adaptive Multimedia Interfaces in PolyMestra" by GLINERT in view of "Two Case Studies of Software Architecture for Multimodal Interactive Systems: Voice-Paint and a Voice-enabled Graphical Notebook" by GOURDOL et al.

As to claim 26, GLINERT teaches a conversational engine to process the input queries and input events and to generate the multi-modal dialog and output events (via the presentation manager communicating with a resource monitor and other data, i.e. user preferences, metawidget data, and resource data) (see figure 2; and page 4). However, GLINERT does not teach a conversational engine API used to communicate with the conversational engine.

GOURDOL teaches a multimodal architecture wherein a kernel component, i.e. a dialogue controller manages conversational engines (functional core) through an API (interface with functional core) (see pages 6-8). Therefore, it would be obvious to one of ordinary skill in the art to combine the teachings of GLINERT with the teachings of GOURDOL in order to identify software architecture components through the presentation of available multimodal systems (pg. 1, introduction).

As to claims 100 and 104, GLINERT substantially discloses the invention above. However, GLINERT does not teach a conversational engine API used to communicate with the conversational engine.

GOURDOL teaches a multimodal architecture wherein a kernel component, i.e. a dialogue controller manages conversational engines (functional core) through an API (interface with functional core) such that a task is run by invoking the functional core (see pages 6-8). Therefore, it would be obvious to one of ordinary skill in the art to combine the teachings of GLINERT with the teachings of GOURDOL in order to identify software architecture components through the presentation of available multimodal systems (pg. 1, introduction).

Allowable Subject Matter

5. Claims 29-33, 37-59, 101, 102, 105-115 and 117-122 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 25-59, 97-115 and 117-222 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

March 6, 2006